

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>LONDON MURRAY</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil No. 23-892</b>
	)	
<b>CAPIO PARTNERS</b>	)	
	)	
<b>Defendant.</b>	)	

**OPINION and ORDER**

Plaintiff London Murray commenced this proceeding by filing a motion to proceed *in forma pauperis*. The named Defendant is Capio Partners, a Texas company. ECF No. 1-1. Suit is brought under the Fair Debt Collection Act, with Plaintiff asserting four causes of action against Capio Partners for allegedly violating the Act in its collection efforts. The Court finds Plaintiff to be without sufficient funds to pay the required filing fee. Thus, Plaintiff will be granted leave to proceed *in forma pauperis*.

There are, however, two separate matters to address. First, Plaintiff has filed a document entitled, “Affidavit of Facts,” which is not a part of the Complaint. ECF No. 1-3. The document is dated May 19, 2023 and appears to have been mailed to Defendant Capio Partners in Texas. This document will be stricken. The “Affidavit of Facts” contains several misstatements of law and presumes to act as a mechanism to obtain summary judgment outside of the Federal Rules of Civil Procedure. Such has no effect in this Court and therefore the document entitled “Affidavit of Facts,” at ECF No. 1-3 is hereby struck from the docket of this case.

Next, Plaintiff, London Murray, indicated that the present action should be designated as related to London Murray’s earlier-filed, now-closed lawsuit at Civil Action No. 23-199. In Civil Action 23-199, London Murray purported to assert claims against the Federal Reserve

System, E Pluribus UNUM-The United States of America, and the U.S. Department of Defense. The Court concludes that the present action is not related to Civil Action No. 23-199. The Clerk of Court will be directed to remove the designation that the instant action is related to Civil Action No. 23-199.

Accordingly, the following order is hereby entered.

**ORDER**

AND NOW, this 12th day of June 2023, IT IS ORDERED that Plaintiff's Motion to Proceed *in forma pauperis* (ECF No. 1) is hereby GRANTED. The Clerk is directed to file the Complaint, ECF No. 1-1, as the Complaint of record.

IT IS FURTHER ORDERED, for the reasons set forth above, that Plaintiff's "Affidavit of Facts" filed at ECF No. 1-3 is hereby struck from the docket.

Finally, it is ORDERED that the Clerk of Court is directed to remove the related case, Civil Action No. 23-199, from this action, as this case is not related to that action.

/s Marilyn J. Horan  
Marilyn J. Horan  
United States District Court Judge

cc: LONDON MURRAY, pro se  
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